

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

AQUANETTA MAGETT,

Plaintiff,

v.

HUD,

Defendant.

Case No. 22-CV-808-JPS

ORDER

On October 14, 2022, Defendant HUD ("Defendant") filed a motion to dismiss pursuant to Rule 4(m), 12(b)(5), 41(b), and Civil Local Rule 41(c). Plaintiff Aquanetta Magett ("Plaintiff") did not thereafter respond.

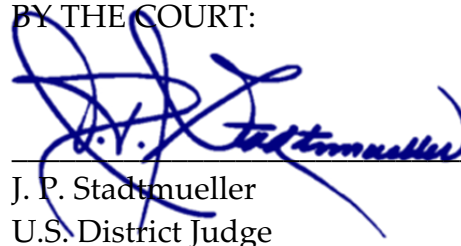
Plaintiff be and the same is hereby ordered to respond to Defendant's motion to dismiss by **Friday, December 13, 2022**. Failure to respond pursuant to the Court's order will result in a decision on the motion to dismiss without the benefit of Plaintiff's input. *See Marcure v. Lynn*, 992 F.3d 625, 631 (7th Cir. 2021) (district court may not dismiss pro se action solely by virtue of plaintiff's failure to respond to motion to dismiss); *DeBartolo v. NorStates Bank*, No. 12-C-0081, 2012 U.S. Dist. LEXIS 64840, at *1 (E.D. Wis. May 9, 2012) ("Because [Plaintiff], who proceeds pro se, failed to respond to the motion to dismiss, the court decides the motion without the benefit of an argument in his favor.") (internal citation omitted).

Accordingly,

IT IS ORDERED that Plaintiff shall **RESPOND** to Defendant's motion to dismiss, ECF No. 5, by **Friday, December 13, 2022**. Failure to do so will result in a decision on the motion without Plaintiff's input.

Dated at Milwaukee, Wisconsin, this 30th day of November, 2022.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized and cursive.

J. P. Stadtmueller
U.S. District Judge